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December 16, 2024

**VIA CM/ECF**

The Honorable Lewis J. Liman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Mulgrew v. United States Dep't of Transp.* (“*Mulgrew*”), No. 24-cv-01644 (LJL); *Chan v. U.S. Dep't of Transp.*, (“*Chan*”) No. 23-cv-10365 (LJL)

Dear Judge Liman:

As your Honor is aware, we are counsel to the *Mulgrew* and *Chan* Plaintiffs. We write, in light of the Court’s December 13, 2024 Order, to seek clarification on the scope of oral argument scheduled for Friday, December 20, 2024. The Court’s Order states that the Court intends to consider preliminary injunction applications in the four Congestion Pricing matters on Friday. Separate from the injunction applications before your Honor are motions to dismiss and motions and cross-motions for summary judgment on the constitutional and NEPA claims. Plaintiffs wish to confirm that these claims will not be the subject of the hearing.

We thank the Court for its guidance.

Respectfully submitted,

/s/ Alan M. Klinger

Alan M. Klinger

*Attorney for Mulgrew and  
Chan Plaintiffs*